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8 Attorneys for Defendant,
9 Lincoln General Insurance Company

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11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION**

13 TONY PENNISI, an individual,

14 Plaintiff,

15 v.

16 LINCOLN GENERAL INSURANCE
17 COMPANY, a corporation, and DOES
18 1 to 20, inclusive,

19 Defendants.

Case No. C12-02695 HRL

**STIPULATION FOR DISMISSAL
OF ENTIRE ACTION WITH
PREJUDICE ; ORDER**

20 **IT IS HEREBY STIPULATED AND AGREED** by and between plaintiff
21 Tony Pennisi and defendant Lincoln General Insurance Company, through their
22 designated counsel, that:

23 1. The entire above-captioned action shall be, and hereby is, dismissed
24 with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), with
25 each party to bear its own legal fees and costs.
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Respectfully submitted,

LAW OFFICES OF VINCENT M. SPOHN

By: /s/ Vincent M. Spohn

Vincent M. Spohn

Attorneys for Plaintiff Tony Pennisi

CHARLSTON, REVICH & WOLLITZ LLP
ROBERT D. HOFFMAN

By: /s/ Robert D. Hoffman

Robert D. Hoffman

Attorneys for Defendant,

Lincoln General Insurance Company

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Case No. C12-02695 HRL

~~[PROPOSED]~~ ORDER FOR
DISMISSAL OF ENTIRE ACTION
WITH PREJUDICE

18 Based upon the stipulation of the parties for an order dismissing the entire
19 captioned action with prejudice, with each party to bear his or its own legal fees and
20 costs, and good cause appearing therefor,
21

22 **IT IS HEREBY ORDERED** as follows:

- 23 1. The above captioned action is dismissed with prejudice in its entirety.
24 2. Each party shall bear his or its own legal fees and costs.

25 **IT IS SO ORDERED**

26 DATED: 12/16/13
27


UNITED STATES DISTRICT JUDGE

MAGISTRATE

HOWARD R. LLOYD

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